

TEXAS TRANSPORTATION COMMISSIONVarious Counties**MINUTE ORDER**

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Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

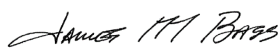
Submitted and reviewed by:

DocuSigned by:

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Director, Contract Services Division

Recommended by:

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Executive Director

115774 June 25, 2020

Minute
NumberDate
Passed

EXHIBIT A
DONATIONS
June 25, 2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	Centex Las Alamedas, L.P.	Austin District	Bastrop	The donor is donating the design and construction of road widening for a right turn deceleration lane and center deceleration lane on SH 21 from 0.2 miles east of FM 535 to 0.55 miles east of FM 535, Bastrop County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$240,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$240,000.00	6/03/2020
2.	Domain Northside Retail Property Owner LP	Austin District	Travis	The donor is donating a fixed amount of \$100,000.00 towards the state's cost towards safety and operational improvements along SL1 northbound frontage road west of Duval Road in Austin, Travis County, Texas. The improvements include the reconfiguration of northbound exit ramp on SL1, a right hand auxiliary lane at the Duval intersection and safety lighting along the frontage road. All design and construction will be provided by the state. <i>(Replaces previously acknowledged for Northwood Retail LLC on 2/27/2020 due to a change in donor.)</i>	\$100,000.00	5/14/2020
3.	Duke Construction Limited Partnership	Houston District	Harris	The donor is donating the design and construction of a deceleration right turn lane from southbound SH 99 frontage road into the donor's development in Katy, Harris County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$290,000.00.	\$290,000.00	5/06/2020
4.	H-E-B, LP	San Antonio District	Bexar	The donor is donating the design and construction of a traffic signal at the intersection of FM 1957 and Stevens Parkway in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$170,000.00.	\$170,000.00	5/27/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
5.	HM Parkside Development, Inc.	Austin District	Williamson	The donor is donating the design and construction of left turn and right turn deceleration lanes at RM 2243 and Parkside Parkway intersection and a right turn deceleration lane at Springtime Drive entrance in Georgetown, Williamson County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$1,200,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way. <i>(Replaces previously acknowledged on 5/28/2020 due to a change in scope and decrease in the estimated value of the donation from \$2,100,000.00 to \$1,200,000.00.)</i>	\$1,200,000.00	5/14/2020
6.	Lennar Homes of Texas Land and Construction, Ltd.	San Antonio District	Guadalupe	The donor is donating the design and construction of traffic signal at SH 123 and FM 758, construction of southbound right turn lane and traffic signal at SH 123 and the new subdivision roadway and conversion of SH 123 from the existing 4 lane highway to one lane each way with a continuous 2-way left turn lane from south of Thormeyer Road to FM 758 with a dedicated left turn lane at the new subdivision roadway in Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$700,000.00.	\$700,000.00	5/21/2020
7.	MJS Development, LLC	San Antonio District	Wilson	The donor is donating the design and construction of for intersection improvements and traffic signal modifications at FM 775 and FM 1346 to accommodate Woodbridge Drive which serves Woodbridge Farms a new subdivision in Wilson County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$380,000.00.	\$380,000.00	5/21/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
8.	Post Oak Clean Green, Inc.	San Antonio District	Guadalupe	The donor is donating the design and construction of right turn and left turn lanes and acceleration lane on FM 1150 at the landfill entrance and for overlay improvement at the intersection of FM 1104 and FM 1150 in Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$880,000.00.	\$880,000.00	5/21/2020
9.	Quiktrip Corporation	San Antonio District	Bexar	The donor is donating the design and construction of u-turn lane modifications for a section of IH 10 at the intersection of Tarpon Drive in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$27,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$27,000.00	5/12/2020
10.	Quiktrip Corporation	Waco District	McLennan	The donor is donating the design and construction of a right turn deceleration lane and sidewalk on the IH 35 southbound frontage road into the donor's establishment in Waco, McLennan County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$150,000.00.	\$150,000.00	5/13/2020
11.	Republic Grand Ranch, LLC	Houston District	Montgomery	The donor is donating the design and construction of a right turn deceleration lane from FM 1097 eastbound into the donor's development in Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$130,000.00.	\$130,000.00	5/14/2020
12.	Sealy Concrete, Inc.	Houston District	Fort Bend	The donor is donating the design and construction of a left turn lane from westbound SH 36 and a right turn lane from eastbound SH 36 into the donor's development in Orchard, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$42,000.00.	\$42,000.00	5/07/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
13.	Scrappy Development, LLC	San Antonio District	Guadalupe	The donor is donating the design and construction of right turn lanes at each of Waters Edge and Three Oaks Road and the installation of a traffic signal at Waters Edge for a new subdivision on SH 46 in Seguin, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$550,000.00.	\$550,000.00	6/02/2020
14.	Shadyside Land Company, LLC	Houston District	Montgomery	The donor is donating the design and construction of a westbound right turn lane and traffic signal at the intersection of FM 1488 and Spur 149 in Magnolia, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$350,000.00.	\$350,000.00	5/14/2020
15.	Spicewood Trails, LLC	Austin District	Burnet	The donor is donating an amount sufficient for the state to construct for pavement widening and addition of left turn lane at the intersection of SH 71 in Spicewood, Burnet County, Texas. All design and construction work will be provided by the state, its consultant or its contractor. The estimated value of the donation is \$200,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$200,000.00	6/02/2020
16.	Steel Dynamics Southwest, LLC	Corpus Christi District	San Patricio	The donor is donating the design and construction of acceleration and deceleration lanes into the donor's driveway on SH 89 north of Sinton in San Patricio County, Texas. The northbound outside lane of SH 89 will have one deceleration lane going into the donor's driveway and one acceleration lane leaving the driveway. The southbound inside lane of SH 89 will have one acceleration lane leaving the donor's driveway. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$960,000. <i>(Replaces previously acknowledged for Steel Dynamics, Inc. on 4/30/2020 due to a change in donor.)</i>	\$960,000	4/29/2020

EXHIBIT B
DONATIONS
June 25, 2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1.	South Austin Emergency Center	Austin	Travis	The donor is donating \$1,908.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal on an existing sign location.
2.	KAT Grand West Retail Condominium Association, Inc.	Houston	Fort Bend	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
3.	Texas Plumbing Supply, Inc.	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
4.	Riverway Builders, LLC (dba) Riverway Homes	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
5.	Simmonds Real Estate Inc.	San Antonio	Guadalupe	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.